

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

NICHOLAS S. BOLTON,)
)
Plaintiff,)
) CIVIL ACTION FILE NO.:
vs.)
)
LENN WOOD, et al.,) 1:21-cv-02279-MHC
)
Defendants.)

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

COME NOW Defendants LENN WOOD, sheriff of Coweta County, Georgia; JOHN TAYLOR COLLINS, individually and in his official capacity; CHRISTIAN SPINKS, individually and in his official capacity; and JON HOUSE, individually and in his official capacity, and, pursuant to Federal Rule of Civil Procedure 56, file this Motion for Summary Judgment on the ground that there is no genuine issue as to any material fact and Defendants Wood, Collins, Spinks and House (hereinafter, "Defendants") are entitled to judgment in their favor as a matter of law. In support of their Motion, Defendants rely on the following:

1. Defendants' accompanying brief in support of this motion;
2. Defendants' Statement of Undisputed Material Facts;
3. Exhibit 3, Declaration of Sheriff Lenn Wood and exhibits thereto;
4. Exhibit 4, Declaration of John Taylor Collins;

5. Deposition of Nicholas Bolton taken October 27, 2022, and the exhibits thereto (excerpts of cited pages from Bolton deposition are attached as Exhibit 5);
6. Deposition of John Taylor Collins taken August 2, 2022, and the exhibits thereto (excerpts of cited pages from Collins deposition are attached as Exhibit 6);
7. Deposition of Jon House taken October 18, 2022, and the exhibits thereto (excerpts of cited pages from House deposition are attached as Exhibit 7);
8. Deposition of Christian Spinks taken July 8, 2022, and the exhibits thereto (excerpts of cited pages from Spinks deposition are attached as Exhibit 8);
9. Deposition of 30(b)(6) Coweta County, Corporate Representative Major Mark Fenninger taken July 8, 2022, and the exhibits thereto (excerpts of cited pages from Fenninger deposition are attached as Exh. 9);
10. Exhibit 10, Expert Report of John J. Ryan;
12. All pleadings of record.

WHEREFORE, Defendants Wood, Collins, Spinks and House respectfully request this Court to grant their Motion for Summary Judgment and to dismiss Plaintiff's Complaint with prejudice in its entirety.

This 4th day of January, 2023.

**Cruser, Mitchell, Novitz, Sanchez,
Gaston & Zimet, LLP**

/s/ Karen E. Woodward

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CERTIFICATE OF COMPLIANCE WITH L.R. 7.1

The undersigned attests that this document was prepared in Times New Roman, 14-point font that complies with this Court's Rules.

This 4th day of January, 2023.

**Cruser, Mitchell, Novitz, Sanchez,
Gaston & Zimet, LLP**

/s/ Karen E. Woodward

Karen E. Woodward
Georgia Bar No. 775260

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day I have filed the foregoing **DEFENDANTS' MOTION FOR SUMMARY JUDGMENT** with the Clerk of Court using the CM/ECF file and serve system which will serve electronic copies of same upon all counsel of record, as follows:

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This 4th day of January, 2023.

**Cruser, Mitchell, Novitz, Sanchez,
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/s/ Karen E. Woodward

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